



M. JANE BRADY
ATTORNEY GENERAL

**STATE OF DELAWARE
DEPARTMENT OF JUSTICE**

NEW CASTLE COUNTY
Carvel State Building
820 N. French Street
Wilmington, DE 19801
Criminal Division (302) 577-8500
Fax: (302) 577-2496
Civil Division (302) 577-8400
Fax: (302) 577-6630
TTY: (302) 577-5783

KENT COUNTY
102 West Water Street
Dover, DE 19901
Criminal Division (302) 739-4211
Fax: (302) 739-6727
Civil Division (302) 739-7641
Fax: (302) 739-7652
TTY: (302) 739-1545

SUSSEX COUNTY
114 E. Market Street
Georgetown, DE 19947
(302) 856-5352
Fax: (302) 856-5369
TTY: (302) 856-2500

PLEASE REPLY TO:

[Civil Division – New Castle County]

August 3, 2005

The Honorable Sue L. Robinson
United States District Court
J. Caleb Boggs Federal Building
844 N. King Street
Room 6124
Lock Box 31
Wilmington, DE 19801

**Re: William F. Davis v. First Correctional Medical, et al;
C.A. No. 04-209-SLR**

Dear Judge Robinson:

Please accept this letter in response to the Court's August 2, 2005 Order which sets a briefing schedule on Plaintiff's Motion for Injunctive Relief. (D.I. # 25). Pursuant to Your Honor's Memorandum Opinion dated April 25, 2005, the State of Delaware Department of Correction was dismissed from this action. (D.I. # 19). A review of the docket in this matter reflects that the Plaintiff has failed to take any action to serve any of the newly-added State Defendants within the timeframe set by the Court's June 3, 2005 Order.¹ (D.I. # 21).

¹ The June 3, 2005 Order specifically required the Plaintiff to submit U.S. Marshall 285 Forms for the newly-added Defendants to the Court within 30 days of the order. The Order specifies that Plaintiff's failure to submit said forms might result in the dismissal of the newly-added Defendants. Plaintiff has failed to take any action to submit said forms or serve the newly added Defendants at a time more than 60 days following the June 3, 2005 Order.

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Accordingly, for the purposes of making a record in this matter, Stan Taylor and Raphael Williams have not been served and are not present in this action. For that reason, I do not have the ability to enter a general appearance on behalf of Mr. Taylor or Mr. Williams.

Respectfully Submitted,

/S/ Aaron R. Goldstein

Aaron R. Goldstein
Deputy Attorney General

CC: Daniel L. McKenty, Esquire (via CM/ECF)
William F. Davis, III (via U.S. Mail)
Clerk of Court (via CM/ECF)